OCA consumer register

A supplement to Consumer News

Vol. 5, No. 23, Dec. 1, 1975

Register results

The following actions have been taken by Federal agencies. They have been previously summarized in CONSUMER REGISTER as proposals. The extent of consumer comment on each item is reported when such information is available.

• Effective Dec. 18, **Food & Drug Administration** (FDA) will adopt mandatory standards for blood bank & transfusion services in the U.S. FDA received 95 letters on the proposal. Details—*Federal Register:* Nov. 18, page 53532; May 28, 1974, page 18613. CONSUMER REGISTER: July 15, 1974.

• On May 11, 1976, **Consumer Product Safety Commission's** (CPSC) mandatory bicycle safety regulations will become effective. (Certain amendments to the regulations will become effective Nov. 13, 1976.) Bicycle safety regulations were originally proposed in 1973—& final regulations were scheduled to go into effect on Jan. 1. However, they were delayed indefinitely because bicycle manufacturers said they could not meet the deadline. CPSC has considered the inflationary impact on this regulation even though it does not think public safety regulations of this nature are affected by Executive Order 11821—the inflation impact statement. Details—*Federal Register:* Nov. 13, page 52815 & 52828; CONSUMER REGISTER: July 15, Jan. 1; Aug. 1, 1974.

Mobile homes

Dec. 11 is deadline for comments on **Housing & Urban Development** Dept.'s (HUD) proposed amendments to its mobile home standards that are scheduled to go into effect March 15, 1976 [see CONSUMER REGISTER: Sept. 15].

Amendments are in response to several comments HUD received on the final rule. Some proposed changes are:

• HUD clarified fact that, to the extent possible, the Federal Mobile Home Construction & Safety Standards are written as performance requirements in preference to specification requirements. This amendment would permit HUD to waive precise specifications where other equipment or system would provide equivalent or superior performance.

• Other technical amendments deal with furnace installation, location of shut-off valves, gas pressure, electrical systems & body & frame requirements.

HUD is also considering comments on specific equipment & installations as well as revising its regulation on smoke detection location.

HUD says proposed amendments do not affect the Economic Impact Statement which has already been submitted.

Details—*Federal Register:* Nov. 11, page 52709; Sept. 2, page 40261; June 25, page 26930. CONSUMER REGISTER: Sept. 15 & July 15. Send comments to Rules Docket Clerk, Office of General Counsel, Housing & Urban Development Dept., Washington, DC 20410. Refer to Docket No. R–75–340.

Peanut spreads

Jan. 2, 1976, is deadline for comments on **Food & Drug Administration's** (FDA) proposal to establish a new standard of identity for a product to be named "peanut spread" if it does not meet the existing standard of identity for peanut butter.

Peanut butter must contain 90% peanuts or peanut oil & not more than 10% of other ingredients, such as seasoning & stabilizer. During processing, the oil content of the peanut ingredient may be adjusted, but the finished product may contain no more than 55% fat. The product described above is FDA's standard for peanut butter—the product that consumers expect when they buy peanut butter.

FDA now says a relatively new spreadable peanut product resembling peanut butter has appeared in stores; it is called peanut spread. However, it does not contain as much peanut ingredient as peanut butter. Therefore, to avoid confusion, FDA proposes to require that if the label says "peanut spread", then the peanut product must contain certain ingredients to make it nutritionally equivalent to peanut butter. Otherwise, label must say "imitation peanut butter." Required ingredients for "peanut spread" would be:

• Protein content would have to contain at least 21.5% or 14.9% protein, depending on the quality of the protein used. (Peanut butter has from 21.5% to 28.6% protein, depending on the variety of peanuts used.)

• Vitamins & minerals (niacin, Vitamin B_6, folic acid, iron, zinc, magnesium & copper) would have to be present in prescribed amounts.

Peanut spread labels would have to carry a statement telling consumers the proportion of peanuts in the product.

FDA has determined that no major inflation impact on the cost or savings of peanut spread to consumers has been found in the proposed regulation.

Details—*Federal Register:* Nov. 3, page 51052. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Blood

Jan. 13, 1976, is deadline for comments on **Food & Drug Administration's** (FDA) proposal to require that all blood for transfusion be labeled to indicate whether the blood was collected from a voluntary or a paid donor. In addition, the label would have to say that blood obtained from paid donors is associated with a higher risk of transmitting hepatitis than that obtained from volunteers.

FDA says its evidence indicates that blood from paid donors is 4 to 6 times more likely to transmit hepatitis than blood from voluntary donors. Transmissible viral hepatitis is type B, a liver disease with symptoms of nausea, loss of appetite, vomiting, liver enlargement, jaundice & an ill-defined feeling of illness.

Health, Education & Welfare Dept. (HEW) has adopted a National Blood Policy [CONSUMER REGISTER: May 1, 1974], which established as one of its goals having enough blood & blood products to take care of everyone in the nation through an all-volunteer blood donor system. [See this issue of Register Results for final regulations on the blood program.]

Details—*Federal Register:* Nov. 14, page 53040. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852.

Prescription drug labels

Feb. 5, 1976, is deadline for comments on a petition submitted to **Food & Drug Administration** (FDA) urging the requirement of written warning information on the labels of certain prescription drugs.

Petition was by the Center for Law & Social Policy (on behalf of Consumers Union); Consumer Action for Improved Food & Drugs; National Organization for Women; Women's Equity

Action League; & Women's Legal Defense Fund. Petition urged that written warnings accompany drugs that petitioners say could be dangerous to pregnant & nursing women, such as hypnotics (sleeping pills) & tranquilizers, & drugs that allegedly have been overprescribed, such as amphetamines & chloramphenicol (an antibiotic drug).

Petitioners say additional warning labels are necessary because patients do not receive adequate information from their doctors or that what information they do get is frequently misunderstood or forgotten. FDA already requires patient labeling for birth control pills & aerosolized asthma drugs & is proposing similar labeling for intrauterine birth-control devices (IUDs).

FDA wants to know how consumers & others feel about (1) the need for & usefulness of warning label information for patients; (2) how the labels should be presented; (3) which drugs should receive priority attention. FDA is especially interested in hearing about consumers' personal experiences with label warnings for patients—or lack of it.

Petition recommends that the labeling be given to the patient when prescription is filled.

Details—*Federal Register:* Nov. 7, page 52075. Send comments to Hearing Clerk, Food & Drug Administration, 5600 Fishers Lane, Rockville, MD 20852. Copies of the petition & minutes of meetings held with professional, trade & consumer groups are available on request from Hearing Clerk.

Beer, wine, distilled spirits

Treasury Dept.'s Bureau of Alcohol, Tobacco & Firearms (ATF) has withdrawn its proposals that would have required all alcoholic beverages to have a list of ingredients on the labels.

ATF received over 1,000 comments on the proposals & also held public hearings in April & May. As a result, AFT said it did not feel "the benefits to be derived from ingredient labeling are significant enough to warrant imposition of the added costs upon the general consumer." (There was general agreement that such costs would indeed be passed on to consumers.)

More commenters wanted ingredient labeling for beer than for wine & distilled spirits. But ATF said it would not be desirable to regulate beer labeling while exempting distilled spirits & wine.

In addition to cost, some of the arguments against ingredient labeling were:

- Consumers could be misled into thinking they would get substantial nourishment from beverage ingredients such as "yeast"—which is not even present in the finished product—& "cereal grains."
- Since the U.S. would have been the only nation in the world to have labeling requirements, such requirements would hinder trade negotiations about imported beer, wine & liquor.
- Additives that are now allowed in alcoholic beverages are authorized by **Food & Drug Administration** (FDA)

ATF points out that withdrawal of these proposals does not keep it from making similar proposals in the future.

Details—*Federal Register:* Nov. 11, page 52613; Feb. 11, page 6349 & 6354; Aug. 1, 1974, page 27812. CONSUMER REGISTER: March 1; Sept. 1, 1974.

NOTE: **Food & Drug Administration** (FDA) has announced it will require ingredient labeling for beer, wine & distilled spirits beginning Jan. 1, 1977. Details will appear in next issue of CONSUMER REGISTER.

Product safety meetings

Consumer Product Safety Commission (CPSC) has adopted a final policy of notifying the public in advance of all upcoming meetings that are of substantial interest to consumers, of conducting meetings & other business in an open manner, & of making records of such meetings available. Consumers & others may wish to have their names placed on CPSC's mailing list to receive advance notice of such meetings. Notices come out weekly & may be obtained by writing to Secretary, Consumer Product Safety Commission, Washington, DC 20207.

Details—*Federal Register:* Nov. 4, page 51360.

Meetings

- CONSUMER ADVISORY COUNCIL—**Office of Consumer Affairs** announces meeting Dec. 11 & 12 in Room 5104, New Executive Office Bldg., 17th & Pennsylvania Ave. NW, Washington, DC. (meetings start 10 a.m. daily) Details of agenda will appear in forthcoming issue of *Federal Register.*
- SAFETY DEFECT & RECALL PROGRAM—**Transportation Dept.** will have a meeting Jan. 28–29, 1976 to "solicit reaction from consumers & consumer groups, auto manufacturers & dealers, insurance industry, highway safety researchers & others concerned with motor vehicle safety defects." (For details, write to Dr. B. J. Campbell, National Motor Vehicle Safety Advisory Council, N40-13, National Highway Traffic Safety Administration, Washington, DC 20590. Or telephone 202-426-2872.

TV sets (continued)

Consumer Product Safety Commission (CPSC) has extended until June 22, 1976, the development period for a recommended safety standard for TV sets. Underwriters Laboratories (UL) is developing the standard to reduce hazards associated with TV sets, such as fire, electric shock, picture tube implosion (inward collapse of tube) & mechanical or exterior hazards.

UL says it needs more time for testing & for analyzing data submitted by TV makers.

Details—*Federal Register:* Nov. 4, page 51222.

This listing, prepared by Marion Q. Ciaccio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, & it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by **Office of the Federal Register, National Archives & Records Service, General Services Administration.** Subscription is $5 a month or $50 a year & may be ordered from **Superintendent of Documents, Government Printing Office,** Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Free copies of *Federal Register* may be available in libraries.

For you

These forms are for you to use, if you wish, in commenting on any Federal Agency proposal summarized in CONSUMER REGISTER. Of course, if you cannot get your comments on the front & back of a form, feel free to continue your comments on additional paper.

Send comment forms to addresses listed in the summaries.

CONSUMER NEWS is publishing these forms in cooperation with **Food & Drug Administration** (FDA).

Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

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Rate Register

Planes

• On Nov. 14, **Civil Aeronautics Board** (CAB) turned down Eastern Airlines' request to offer passengers a 30% discount from regular coach & first class fares that would have required only minimum hotel & ground accommodations. Request would also have permitted weekend travel. CAB said ground package price was too low, first class discount was unnecessary, & weekend travel should be blacked out.

• **Civil Aeronautics Board** (CAB) also rejected Eastern Airlines' proposal to permit a round trip between 9 Florida cities & 25 northern cities for $121 coach fare & $169 first class. CAB said single fares are not "economically justified."

• **A Civil Aeronautics Board** (CAB) administrative law judge has ruled that National Airlines' "no frills" fares are legal. He pointed out that 35 to 42% of consumers who use "no frills" travel are those who would not fly otherwise. The ruling is subject to review by CAB.

National has been operating "no frills" fares since April, 1975; no meals or alcoholic beverages are offered [RATE REGISTER: April 1 & April 15].

Speaking of "no frills," **Agriculture Dept.** points out that " 'brown bag blues' have reached the sky" as a result of consumers bringing their own lunches when they board planes. Agriculture says headache, abdominal cramps, vomiting, nausea, fever & diarrhea may develop within 12 to 36 hours after eating contami-

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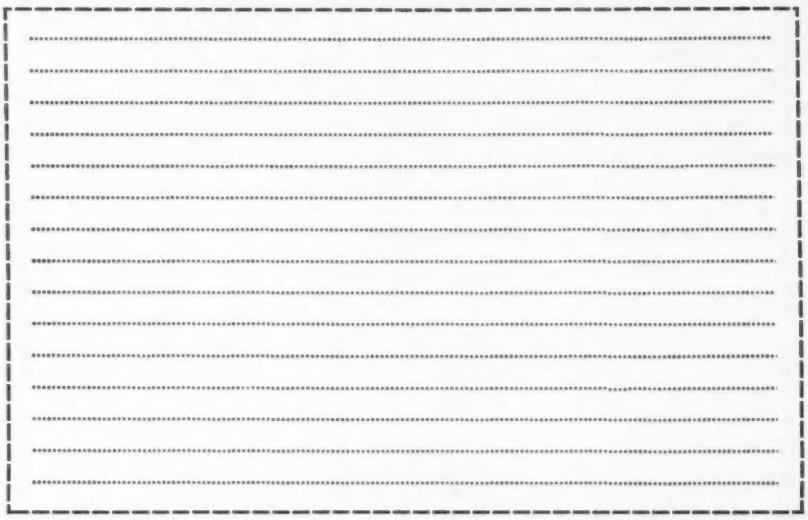

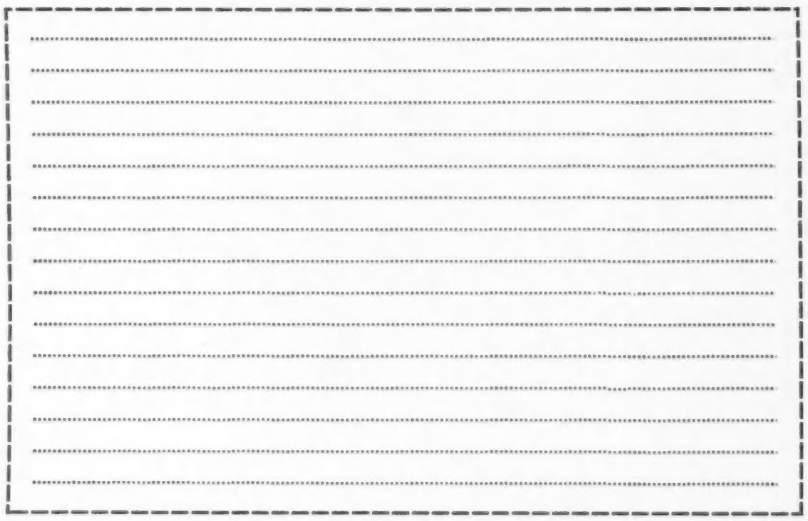

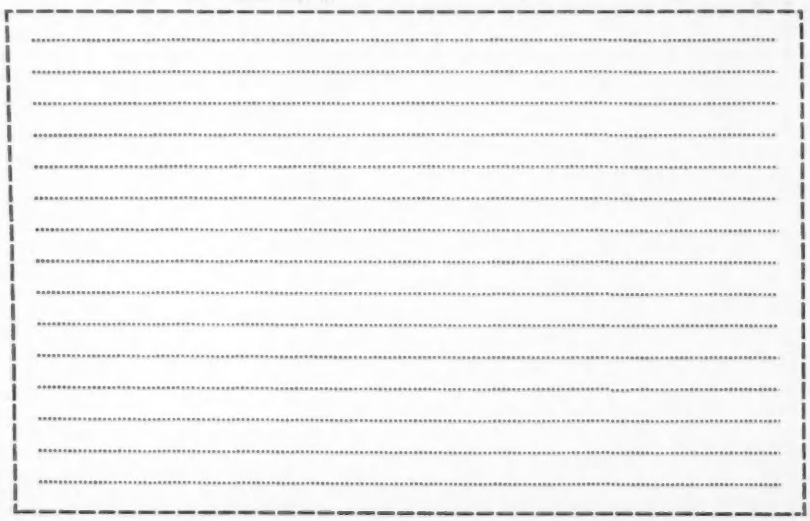

Rate Register

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nated food. Agriculture urges travelers to keep their lunches clean, cold &/or hot in order to minimize food poisoning.

• On Oct. 31, **Civil Aeronautics Board** (CAB) allowed American, Eastern & Pan American Airlines to keep in effect their 8% fare increase between US mainland & Puerto Rico & Virgin Islands. This fare would have expired Nov. 1. CAB deferred action on the airlines' request for an additional 8% increase.

Mail

• Beginning Jan. 3, 1976, **Postal Service** (PS) will increase its rates for international mail, both air & surface. Some typical air mail rates are:

For most countries, air mail letters will cost 31¢ for each half-ounce (14 grams) up to & including 2 ounces (56 grams), & 26¢ for each additional half-ounce. Air postcards will cost 21¢ each. Other airmail articles (printed matter, small packages & printed material for the blind) will cost 86¢ for the first 2 ounces & 29¢ for each additional 2 ounces. Air parcel post rates will be increased by 24%.

Rates for other countries close to the US—Central America, the Caribbean, Colombia & Venezuela—will also increase, but not as much as the other countries.

In Canada & Mexico, air mail letters will cost 17¢ for the first ounce (28 grams). Post cards will cost 14¢ each. For Mexico, other airmail articles will be 60¢ for the first 2 ounces & 16¢ for each additional 2 ounces. For Canada, letter mail rates will apply.

In addition, special fees will increase: return receipts will cost 32¢, & fees for all mail items on which customs duty or internal revenue tax is collected will cost $1.00.

PS says new rates are necessary because of increased air transportation & other costs. Details—*Federal Register:* Nov. 18, page 53447.